सत्यमेव जयते

राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
साधिकार प्रकाशित	Published by Authority

श्रावण 21, बुधवार, शाके 1948- अगस्त 12, 2026
Sravana 21, Wednesday, Saka 1948- August 12, 2026

भाग 4 (ग)

उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा अधिसूचनाएं।

LABOUR DEPARTMENT

NOTIFICATION

Jaipur, August 12, 2026

S.O.41 .-Whereas a draft of the Rajasthan Industrial Relation Rules, 2026 was published as required by sub-section (1) of section 99 of the IndustrialRelationsCode, 2020 (Central Act No. 35 of 2020) published in the Rajasthan Gazette Extraordinary part 4 (ga) up-khand (II) dated January 20, 2026 for inviting objections and suggestions from all persons likely to be affected thereby, before expiry of forty five days from the date on which copies of the Official Gazette containing the said draft rules were made available to the public;

And whereas the copies of the Official Gazette in which said draft rules were published and made available to the public on January 20, 2026;

And whereas objections and suggestions received from the public on the said draft rules were considered by the State Government;

Now, therefore in exercise of the powers conferred by section 99 of the IndustrialRelationsCode(Central Act No. 35 of 2020), the State Government hereby makes the following rules, namely:-

Chapter-I
PRELIMINARY

1. Short title, application and commencement.-(1) These rules may be called the Rajasthan Industrial Relation Rules, 2026**.**

(2) They shall extend to whole of the State of Rajasthan in respect to the industrial establishments and matters for which the State Government is the appropriateGovernment.

(3) They shall come into force on the date of their publication in the OfficialGazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) "Code"meanstheIndustrialRelationsCode,2020;

(b) "Form" means a form appended to these rules;

(c) "electronically"meansanyinformationsubmittedby email oruploadingonthe designatedportalor digital payment in any mode for the purpose of the Code; and

(d) "section"meansthesectionoftheCode.

(2) The words and expressions used but not defined in these rules and defined in the Code shall have their respective meaning as assigned to them in the Code.

3. Memorandumof settlement.- (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form-I.

(2) The settlement shall be signed,-

(a) by the employer or by his authorised agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and

(b) on behalf of workers, by any of the following office bearers of Trade Union, namely:-

(i) President; or
(ii) Vice-President; or
(iii) Secretary (including the General Secretary); or
(iv) Joint Secretary; or
(v) any other office bearer of the Trade Union authorised in this behalf by the President and Secretary of the Union; or
(vi) five representatives of workers duly authorised in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.

(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post or by registered post, to the Labour Commissioner and to the conciliation officer.

(6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.

(7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation.

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form-I.

Chapter-II
BI-PARTITE FORUMS

4. Works Committee, its constitutionand matters related thereto.- (1)Every employer to whom an order made by the State Government under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee, hereinafter in this rule referred to as the Committee, to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.

(2)(i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.

(ii) The total number of members of the Committee shall not exceed twenty.

(iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein:

Provided that the industrial establishment in which women workers are employed and such total workers shall have adequate representation of women workers in Works Committee representation shall not be less than the proportion of women workers to the employed in the industrial establishment.

(3) Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4)Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to,-

(a) number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Labour Commissioner or any other officer as notified by the State Government, who shall, after hearing the parties, decide the matter and his decision shall be final.

(5)On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:–

(a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;

(b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule (4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any raeference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the concerned officer appointed by the State Government.

(6)The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7)Any worker of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation: For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8)All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation: For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9)(i) The employer shall give a minimum time period of atleast three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii) The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii) The date of election fixed under clause (i) above shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10) (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in clause (i) above shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11)(i)On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinised by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii)A nomination paper shall be held to be not valid under clause (i) above, if,-

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorised nominee for the purpose.

(12)Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall

be forthwith declared as duly elected and where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) (a) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary. The Secretary and the Joint-Secretary shall be elected everyyear;

(b) TheChairmanshallbenominatedbytheemployerfromamongsttheemployer'srepresentativesof the Works Committee and he shall, as far as possible, be the head of the industrial establishment;

(c) The Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongstthemselves:

Provided that in the event of equality of votes in the election of the Vice-Chairman, the matter shall be decided by draw of a lottery;

(d) The Works Committee shall elect the Secretary and the Joint Secretary:

Provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the worker and viceversa.

Provided further that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for three consecutiveyears.

Provided also that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the worker and only the representatives of the worker shall be entitled to vote in suchelections.

(e) In any election under clause (d), in the event of equality of votes, the matter shall be decided by a draw of lottery.

(15) (a) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be threeyears;

(b) A member chosen to fill a casual vacancy shall hold office for the unexpired term of hispredecessor; and

(c) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit hismembership.

(16) In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (15) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seatbelonged.

(17) The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the WorksCommittee.

(18) The Works Committee may meet as often as necessary but not less often than once in three months. The Works Committee shall at its first meeting regulate its own procedure.

(19) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting. The Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

(20) The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under

the Occupational Safety, Health and Working Condition Code, 2020 (Central Act No. 37 of 2020).

(21) The State Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the State Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

5. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.- (1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceedten.

(2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrialestablishment.

(3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely:–

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;

(b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform.

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognised negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the Labour Commissioner or Additional Labour Commissioner (I.R.), who shall, after hearing the parties, decide the matter, whose decision shall be final.

6. Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4.- Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such disputearises.

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4.- Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application electronically or by registered post or speed post within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (*6*) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member orotherwise:

Provided that in case of manual receipt of such application through registered post or speed postor otherwise, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the concerned worker.

Chapter-III
TRADE UNIONS

8. Application for registration.- Every application for registration of a Trade Union under sub-section (1) of section 8 shall be made to the registrar electronically or otherwise in Form-II accompanied by a declaration to be made by an affidavit on non judicial stamp paper of rupees fifty, duly attested by notary public by all seven members or more members of trade union who apply for registration stating therein that there is no any other trade union existing with same or similar name and a fee as specified by the State Government by notification in the Official Gazette.

9. Register of Trade Unions.- The register of trade unions referred to in sub-section (1) and (3) of section 9 shall be maintained in Form-III.

10. Certificate of Registration.- The certificate of registration issued by the registrar under sub-section (2) of section 9 shall be in Form-IV.

11. Payment of subscription by members to Trade Union under clause (f) of section 7 and sub-section (4) of section 15.- (1) Registered Trade Union may collect the subscription from its members, office bearers or from others, as provided under the rules approved by the Registrar on monthly, quarterly, half yearly or yearly basis subject to such amount as specified in sub-rule (2) of this rule.

(2) The payment of a minimum subscription by members of the Trade Union shall be as provided under the rules of the trade union approved by the Registrarbut shall not be less than,-

(a) twenty rupees per annum for rural workers;

(b) thirty rupees per annum for workers in other unorganised sectors; and

(c) fifty rupees per annum for workers in any other case or as may be fixed by the State Government, from time to time.

12. Objects on which general funds may be spent under sub-section (1) of section15.- (1) The general funds of a registered Trade Union shall not be spent on any other objects other than that of the following, namely:-

(a) the payment of salaries, allowance and expenses to office bearers of the Trade Union;.

(b) the payment of expenses for the administration of the Trade Union, including for audit of the accounts of the general funds of the Trade Union;

(c) the prosecution or defense of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defense is

undertaken for the purpose of securing or protecting any rights of the Trade Union as such any rights arising out of the relations of any members with his employer or with a person whom the member employs;

(d) for the conduct of Trade Disputes on behalf of the Trade Union or any member thereof;

(e) the compensation to members for loss arising out of trade disputes;

(f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;

(g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness accident or unemployment; and

(h) the provisions of educational, social or religious benefits for the members (including the payments of the expenses or funeral or religious ceremonies for deceased members) or for the dependents of members;

13. Composition of separate fund under sub-section (2) of section 15.- (1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects specified in the Code.

(2) The objects of fund referred to in sub-rule (1) are,-

(a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the Constitution or of any local authority, before, during, or after the election in connection with his candidature or election; or

(b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or

(c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or of any local authority; or

(d) the registration of electors or the election of a candidate for any legislative body constituted under the Constitution or for any local authority; or

(e) the holding of political meetings of any kind,or the distribution of political literature or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub-rule (1) and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (exception relation to the control or management of the said fund) by reason of his not contributing to the said fund and contribution to the said fund shall not be made a condition for admission to the Trade Union.

14. Withdrawal or Cancellation of Registration.- The Registrar, on receipt ofan application for the withdrawal or cancellation of registration, shall before granting the application satisfy himself that the withdrawal or the cancellation of registration was approved by a general meeting of the trade union or if it was not approved then it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such particulars as he may deem necessary and may examine any officer of the union.

15. Appeals.- Any appeal made under sub-section (1) of section 10 must be filed within 60 days of the date on which the Registrar passed the order against which the appeal is made.

16. Communications to Trade Union and change in its registration particulars.- All communications and notices to a registered Trade union shall be sent electronically or otherwise at the address of the head office of the Trade Union or email address as entered in the register maintained by the Registrar. In the same way, such Trade union shall communicate any change in the particulars given by it in its application for registration and in its constitution or rules to the Registrar.

17. Manner of recognition of negotiating union or negotiating council.- (1)The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 are specified, as below:-

(i) classification of grades and categories of workers;
(ii) order passed by an employer under the standing orders applicable in the industrial establishment;
(iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;
(iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;
(v) leave with wages and holidays;
(vi) promotion and transfer policy and disciplinary procedures;
(vii) quarter allotment policy for workers;
(viii) safety, health and working conditions and related standards;
(ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and
(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2) Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in the industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers.

(3) (i) (a) The State Government shall appoint a verification officer for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case may be, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognized by the employer under the Code.

(b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.

(c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.

(ii) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (i).

(iii) (a) The Trade Union, which has a valid registration under the Trade Unions Act, 1926 (Central Act No. 16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020), as the case may be, may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be.

(b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.

(iv) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be.

(b) The date of reckoning shall be fixed by the verification officer for the industrial establishment for the purpose of verification of membership of the trade unions.

(c) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.

(d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters.

(e) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.

(f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(4)(i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide,-

(a) publication of voters list;
(b) date, time, mode of voting, place of voting;
(c) date, time and place of counting; and
(d) other modalities relating to secret ballot.

(ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.

(iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(iv) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (iii) and the voters list shall contain the name, father‘s name, designation, worker number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by registered post or through electronic mode.

(v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.

(vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.

(vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favour of each of the trade unions which participated in the election.

(5)The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

(6)(i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of sub-section (3) or sub-section (4) of section 14 of the Code, as the case may be.

(ii) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:

(7)In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely: -

(i) notice board for the purpose of displaying information relating to activities of negotiating union or negotiating council, as the case may be;
(ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;
(iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;
(iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;
(v) employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;
(vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer and such employed office bearers shall be treated as on duty; and
(vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

(8)Where any dispute arises between,-

(i) one Trade Union and another; or
(ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or
(iii) one or more workers who are refused admission as members and the Trade Union; or
(iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union,

then, the aggrieved person may make application to the Tribunal having jurisdiction, in Form-II within a period of one year from the date on which the dispute arises, electronically or by registered post or by speed post or in person.

18. Manner of amalgamation or change in name under sub-section (2) of section 24.- Any two or more registered trade unions may become amalgamated together as one trade union with or without dissolution or division of the funds of such trade unions or any of them, provided that the votes of at least one half of the members of each or every such trade union entitled to vote are recorded and that at least sixty percent of the votes recorded are in favour of the proposal. In the case of change of the name or amalgamation, a notice in writing of every change of name and of every amalgamation signed by secretary and by seven members of the trade union(s) shall be sent to the concerned Registrar electronically or otherwise with relevant documents along with such fees as may be specified by notification in the Official Gazette.

19.Manner of amendment and variation in rules of Trade Unions.- (1) When a registered Trade Union makes any amendment or variation in rules such amendment or variation shall be sent to the Registrar in Form-V along with proof of payment of fee as specified by the State Government by notification in the Official Gazette.

(2) On receipt of a copy of any amendment or variation made in the rules of a Trade Union, the Registrar shall, unless he has reason to believe that the amendment or variation in the rules has not been made in the manner provided by the rules of the Trade Union or unless the amendment or variation in the rules is not in accordance with the provisions of the Code, register the amendment or variation in the rules in a register to be maintained for this purpose and shall notify the fact that the has done so to the secretary of the Trade Union.

20. Manner of distribution of Funds of dissolved Trade Union.- Where it is necessary for the Registrar under sub-section (2) of section 25 to distribute the funds of the trade union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

21. Annual Return, Particulars and Forms.- The annual return to be furnished under sub-section (1) of section 26 shall be submitted to the Registrar by the 31st day of July in each year and shall be in Form-VI.

22. Auditor.- The audit shall be conducted by an auditor authorized to audit the accounts of companies under section 141 of the Companies Act, 2013:

Provided that,-

(i) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st December, exceed 2000, the annual audit of the accounts may be conducted,-

(a) by any auditor authorized by the State Government to examine public accounts; or

(b) by a Chartered Accountant.

(ii) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st day of December, exceed 1,000, the annual audit of the accounts may be conducted by any auditor appointed to conduct the audit of Co-operative Societies by the Government or by the Registrar of Co-operative Societies.

(iii) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st December, exceed 250, the annual audit of the accounts may be conducted by any two ordinary members of such registered Trade Union who were not in the executive committee of Trade Union during the period to which the accounts pertain.

(iv) where the registered Trade Union is a federation of Trade Unions and the number of such unions affiliated to it at any time during the year ending on the 3ist December, did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it has not, at any time during the year had a membership of more than 2,000, 1,000 or 250 respectively.

23. **Disqualification of auditors.-** Notwithstanding anything contained in these rules, no person who, at any time, during the year for which the accounts are to be audited, was entrusted with any part of the funds or securities belonging to a registered Trade Union shall be eligible to audit the accounts of that union.

24. **Audit.-** The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the trade union and the auditor shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditors declaration appended to Form-VI indicating separately on that Form under his signature or their signatures, a statement showing in what respect he or they find the return to be incorrect. The particulars given in this statement shall indicate the,-

(a) every payment which appears to be unauthorized by the rules of the trade union or contrary to the provisions of the Act;

(b) amount of any deficit or loss which appear to have been incurred by the negligence or misconduct of any person; and

(c) amount of any sum which ought to have been, but is not brought to account by any person.

25. Auditing of political funds.- The audit of the political funds of a registered trade union shall be carried out along with the audit of the general accounts of the trade union and by the same auditor or auditors.

26. Recognition of Trade Unions at State Level under sub-section (2) of section 27.- (1) Application for recognition of Trade Unions at State Level shall be filed in Form-VII by the Trade Union or federation of the Trade Unions to the State Government or the Officer authorized by the State Government in this regard.

(2) The State Government or the officer authorized shall, after due enquiry, as it deems fit, decide such application with in sixty days of its receipt and send the copy of the decision to the applicant with a copy to the Labour Commissioner and the Registrar.
(3) If any dispute arises in relation to such recognition, the State Government or the Officer authorized by the State Government in this regard shall refer the dispute to the Industrial Tribunal. The Industrial Tribunal shall, after giving opportunity of hearing to the applicant and going through the relevant records of the case, decide the appeal with in forty five days and the order shall be binding up on the parties.

Chapter-IV
STANDING ORDERS

27. Manner of forwarding information to certifying officer under sub-section (3) of section 30.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically, or in person or by registered post, the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.
(2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically or otherwise by the employer.
(3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

28. Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30.- Where there is no such Trade Union as specified in clause (ii) of sub-section (5) of section 30, then, the certifying officer or any authorized officer in his behalf shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

29. Manner of authentication of certified standing orders under sub-section (8) of section 30.- Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically or otherwise within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

30. Statement to be accompanied with draft standing orders under sub-section (9) of section 30.- A statement to be accompanied with,-

(i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong;and

(ii) draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

31. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.- In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union:

Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Officer as authorized by the State Government, who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons therefore.

32. Manner of disposal of appeal by appellate authority under section 32.- (1) An employer or Trade Union, negotiating union or negotiating council or where there is no negotiating union or negotiating council in an industrial establishment or under-taking, any union or such representative body of the workers of the industrial establishment or under-taking may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically or otherwise to the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given,-

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;

(b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unionsof the workers of the industrial establishment, as the case may be,or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and

(c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unionsof the workers of the industrial establishment, orwhere there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties dispose of the appeal.

33. Sending of orders and the manner of maintaining standing order under sub-section (1) and (2) of section 33.- (1) The standing order finally certified by certifying officer shall be sent electronically or otherwise except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this Chapter shall be maintained by the employer in Hindi or in English, if the Standing orders are submitted in English, a true translation in Hindi shall have to be submitted.

34. Register for final certified copy of Standing Order under section 34.- (1) The certifying officer shall maintain electronically or otherwise, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of,-

(a) the unique number assigned to each standingorder;

(b) name of industrial establishment;

(c) nature of industrial establishment;
(d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking;
(e) the areas of the operation of the industrial establishment;and
(f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified orders referred to in sub-rule (1) to any person applying therefore, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.

(3) The payment for such purpose may also be made through electronic mode.

35. Application for modification of Standing Order under sub-section (2) of section 35.- The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically or otherwise and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade union(s) operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

Chapter-V
NOTICE OF CHANGE

36. The manner of giving of notice for change proposed to be effected under clause (i) of section 40.- (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form-VIII to such worker affected by such change.

(2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrialestablishment:

(3) Where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

Chapter-VI
VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

37. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42.- (1)Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in Form-IX and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed,-

(i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;
(ii) in the case of the workers, by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose; and
(iii) in the case of an individual worker, by the worker himself or by an officer of registered Trade Union of which the worker is a member.

Explanation: In this rule, the expression officer means any of the following officers of the registered Trade Union, namely:-

(a) the President;
(b) the Vice-President;
(c) the Secretary (including the GeneralSecretary);
(d) a Joint Secretary;and

(e) anyotherofficeroftheTradeUnionauthorizedinthisbehalfby the President and Secretary of theunion.

38. Manner of issue of notification under sub-section (5) of section 42.- Where an industrial dispute has been referred for arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically for the information of the employers and workers who are not parties to the arbitration agreement but are concerned to the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

39. Manner of choosing representatives of workers where there is no Trade Union under sub- section (5) of section 42.- Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in Form-X authorizing therein to represent the case. Such workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

Chapter-VII
MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

40. Manner of' filling up of the vacancy and salaries and allowances of Judicial Member of the Industrial Tribunal under sub-section (9) of section 44.- (1) The State Government may, on recommendation of the High Court, by notification in Official Gazette appoint any officer of the District Judge cadre of the Rajasthan Judicial Service as a Judicial Member for the Industrial Tribunal for the adjudication of industrial disputes and for performing such other functions as may be assigned to him under this Code.

(2) The salary, allowances of the Judicial Member shall be such as admissible to the Judicial officer of the District judge cadre.

(3) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-XI.

41. Manner of filling up of' the vacancy and salaries and allowances of Administrative Member of the Industrial Tribunal under sub-section (9) of section 44.- (1) The State Government may by notification in Official Gazette appoint an Administrative Member for the Industrial Tribunal for the adjudication of Industrial Disputes and for performing such other functions as may be assigned to him under this Code.

(2) A person shall not be qualified for appointment as Administrative Member of a Tribunal unless he holds the post of the Joint Secretary to the Government or its equitant or he holds the post of the Additional Labour Commissioner, Labour Department Rajasthan having a Degree in Law, with labour laws or industrial law or MSW post graduate degree in Labour Law or Personal Management and Industrial Relations from any recognized university and must have seven years experience of conciliation or quasi-judicial functions connected with labour disputes.

(3) Every person appointed as the Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-XI**.**

(4) The salary, allowances and other service conditions shall be as per the rules applicable on the officer appointed as the Administrative Member.

42. Manner of holding conciliation proceedings under sub-section (1), full report under sub- section (4), and application and the manner of deciding such application under sub-section (6) of section 53.- (1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer on receipt of such application shall examine the application and issue notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of saiddispute.

(3) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicablesettlement. If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government or any officer authorized in this behalf by the State Government together with a memorandum of settlement signed by the parties to the dispute in Form-I.
(4) If no such settlement is arrived at in the conciliation proceeding, the conciliation officer shall submit a report to the State Government or the officer authorized within seven days from the date on which the conciliation proceedings are concluded.
(5) The report referred to in sub-rule (4) shall be made available to the parties concerned.
(6) The report referred to in sub-rule (4) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliationofficer.
(7) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in Form-XII, before the Tribunal electronically or otherwise within ninety days from the date of the report submitted under sub-rule(4) for adjudication.
(8) The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or otherwise for service on each of the opposite parties in thedispute.
(9) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties forservice.
(10) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents withintime.
(11) Evidence shall be recorded either in the Industrial Tribunal or may be filed on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (Central Act No. 5 of1908).
(12) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure ofevidence.
(13) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall begranted:

Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

(14) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case ex-parte, and decide the application in the absence of the defaulting party:

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex- parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(15) The Tribunal shall communicate its Award electronically or otherwise to the parties concerned and the State Government within one month from the date of the pronouncement of the award.

(16) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court for the purpose of sections 384, 385 and 386 of the BharatiyaNagarika Suraksha Sanhita, 2023 (Central Act No. 46 of 2023).

(17) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.

(18) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically or otherwise in the Tribunal in the following manner, namely:-

(a) Fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of two rupees per page.
(b) For certifying a copy of any such award or order or document, a fee of Rs. Two per page shall bepayable.
(c) Copying and certifying fees shall be payableelectronically or otherwise.
(d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall bepayable.

(19) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.

(20) The proceedings before Tribunal shall be held in open court:

Provided that the Tribunal may direct any proceeding before it to be held by video conferencing.

Provided further that Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

43. Procedure for registration for settlement.- On receipt of an application for registration of settlement referred in rule 3 along with Form-Iduly signed by parties, the Conciliation Officer may make an enquiry if he considers necessary. If the Conciliation Officer decides to register a settlement, the registration shall be made in Form-XIII and a certificate of registration in Form-XIV shall be issued to all the parties to the settlement within thirty days of receipt of the application for registration. If the Conciliation Officer refuses to register the settlement, intimation to this effect, together with reasons for refusal to register, shall be given to all the parties to the agreement within thirty days of receipt of application for registration. The Conciliation Officer shall also give intimation of registration of settlement, or of the refusal thereof, as the case may be, within seven days to the Labour Commissioner, Rajasthan.

Chapter-VIII
STRIKES AND LOCK-OUTS

44. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62.- The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in Form-XVwhich shall be duly signed by the Secretary of the concerned registered trade union or where there is no registered trade union byfive elected representatives of the workers giving the notice relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned conciliation officer, Labour Commissioner, Secretary to the Government, Labour Department Rajasthan and District Magistrate.

45. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62.- (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form-XVIto the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer, Labour Commissioner, District Magistrate and Secretary to the Government, Labour Department Rajasthan electronically or otherwise. The notice shall be displayed

conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.
(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned conciliation officer and Labour Commissioner.
(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or otherwise the same to the concerned conciliation officer and the Labour Commissioner.

Chapter-IX

LAY-OFF, RETRENCHMENT ANDCLOSURE

46. Manner of serving notice before retrenchment of the worker under clause (c) of section 70.- If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in Form-XVIIto the State Government, and the Joint Labour Commissioner concerned through e-mail or by registered or speed post.

47. Manner of giving an opportunity for re-employment to the retrenched workers under section 72.- Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least 15 days before by registered post or speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons in filling up of such vacancy.

48. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74.- If an employer intends to close down an industrial establishment he shall give notice of such closure in Form-XVIIto the State Government and a copy thereof to the Joint Labour Commissioner concerned, by e-mail or registered post or speed post.

Chapter-X

SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS

49. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78.- An application for permission under sub-section (1) of section 78 shall be made by the employer in Form-XVIIIstating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

50. Time-limit for review under sub-section (7) of section 78.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78 within a period of thirty days from the date on which such order is made.

51. Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.- An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in Form-XVIIIstating clearly therein the reasons for the intended retrenchment electronically or otherwise and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

52. Time-limit for review under sub-section (6) of section 79.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order

granting or refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made.

53. Manner of making application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80.- An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in Form-XVIII for prior permission at least ninety days before the date on which intended closure is to become effective to the State Government, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and by registered post or speed post.

54. Time-limit for review under sub-section (5) of section 80.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made.

Chapter-XI
WORKER RE-SKILLINGFUND

55. Manner of utilization of fund under sub-section (3) of section 83.- Every employer who has retrenched a worker or workers under the Code, shall, within ten days from the date of retrenchment of a worker or workers, electronically or otherwise transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account of State Government (name of the account shall be displayed on the website of the Labour Department of Rajasthan) to be maintained by the State Government. The fund so received shall be transferred by the State Government to each worker or workers' account electronically or otherwise within forty five days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the State Government to transfer the amount in their respective account.

Chapter-XII
COMPOUNDING OF OFFENCES

56. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.- (1)The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89, hereinafter referred to as the compounding officer, shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice electronically or otherwise to the accused in Form-XIX consisting of three parts. In part I of such Form, the compounding officer shall inter-alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabets or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easyidentification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the part III of the Form duly filled by him to the compounding officer electronically or otherwise and deposit the compounding amount electronically or otherwise, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in thenotice.

(3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section89.

(4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accusedand,-

(a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused;and

(b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as underclause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.

(5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the StateGovernment.

Chapter-XIII
MISCELLNEOUS

57. Protected workers under sub-section (3) and (4) of section 90.- (1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union shouldberecognisedasprotectedworkers.Anychangeintheincumbencyofanysuchofficershallbe communicated to the employer by the union within fifteen days of suchchange.

(2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognise such workers tobeprotectedworkersforthepurposesofsection90andcommunicatetotheUnion,inwriting,within fifteen days of the receipt of the names and addresses under sub-rule (1), the list of workers recognised as protected workers for the period of twelve months from the date of suchcommunication.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under sub-section (4) of section (90), the employer shall recognise as protected workers only such maximum number ofworkers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Unions that the numbers of recognised protected workers in individual Unions bear practicably by the same proportion to one another as the membership figures of the Unions. The employer shall in that case intimate in writing to the President or the Secretary of the each concerned Union the number of protected workers allotted toit:

Provided further that where the number of protected workers allotted to a Union under this sub-rule falls short of the number of officers of the Union seeking protection, the union shall be entitled to select the officers to be recognised as protected workers. Such selection shall be made by the Union and communicated to the employer within five days of the receipt of the employer‘s letter in this regard.

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected withtherecognitionof protectedworkersunderthisrule,thedisputeshallbereferredtotheofficer of the Labour Department authorized by the State Government, whose decision thereon shall befinal.

58. Manner of making complaint by an aggrieved worker under section 91.- (1) Every complaint under section 91 of the Code shall be made electronically orby registered post or speed post in Form-XX and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(2) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator, Tribunal or the National Industrial Tribunal, as the case may be, to be acquainted with the facts of thecase.

59. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94.- Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker

employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in Form-X.

60. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94.- Where the employer, is not a member of any association of employers, may authorize in Form-X an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

61.Submission of a copy each of the form to the Director General, Labour Bureau under clause (zzf) of sub-section 2 of section 99.- A copy each of Form-XV (notice of strike), Form-XVI (notice of lockout), Form-XVII (notice for intimation of retrenchment or closure to State Government), Form-XVIII (Application for permission of lay-off or retrenchment or closure) and Form-XIX (compounding of offences) shall be shared electronically with Director General, Labour Bureau in auto-mode.

62. Publication for communication.- For the purposes of communication to effect service of messages and documents under these rules, the State Government, Tribunal, every employer for which the State Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

63. Maintenance of records, registers, forms, notice and display board.– (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.

(2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector-cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.

64. Repeal and savings.- (1) On and from the date of commencement of these rules,-

(i) the Rajasthan Industrial Disputes Rules, 1958;

(ii) the Rajasthan Industrial Employment (Standing Orders) Rules, 1963;and

(iii) the Rajasthan Trade Union Regulation Rules, 1959;

are hereby repealed.

(2) The repeal of the rules specified in sub-rule (1) shall not,-

(i) revive anything not in force or existing at the time of such repeal; or

(ii) affect the previous operation of any rules so repealed and orders or anything duly done or suffered thereunder; or

(iii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the rules so repealed or orders issued under such repealed rules:

(iv) affect any investigation, inquiry, verification, adjudication and any other legal proceedings or recovery of arrears or remedy in respect of any such rights, privilege, obligation, liability, forfeiture or punishment, as aforesaid, and any such investigation, inquiry, verification proceedings, adjudication and other legal proceeding or recovery of arrears or remedy may be instituted, continued or enforced, and any penalty, fine, interest, forfeiture or punishment may be levied or imposed as if these rules had not been so repealed; or

(v) affect any proceedings including that relating to an appeal, revision, review or reference, instituted before, on or after the commencement of these rules and such proceedings shall be continued under the said repealed rules as if these rules had not come into force and the said rules had not been repealed.

(3) The mention of the particular matters referred to in sub-rules (2) above shall not be held to prejudice or affect the general application of provisions of the General Clauses Act, 1897 (Central Act No. 10 of 1897) with regard to the effect of repeal.

Form-I

(see rule 3, 42 and 43)

Memorandum of settlement arrived at during conciliation or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

signature of the parties

1.
2.
3.
4.
5.
6.

Witnesses:

(1)

(2)

In case the settlement arrived at between the employer and his workers otherwise than in course of conciliation proceedings the copy of the memorandum shall be marked to the concerned Joint Labour Commissioner and Conciliation Officer or in the case of otherwise than in the course of conciliation proceeding to the State Government or the officer authorized by the State Government.

Form-II

(see rule 8)

Application for Registration of Trade Union

To

the Registrar of Trade Union,

----------Rajasthan

Dated the .....day of. . . . . .

1. We hereby apply for the registration of a Trade Union under the name of ……..
2. The Address of the head office of the Union is ……..……..……
3. The E-Mail of the Union ……..
4. The Union came into existence on the ..... day of ……
5. The Union is a Union of employers/workers engaged in the Industry……..…… …….. (or profession).
6. The declaration by an affidavit required under clause (a) of sub-section (1) of section 8 of the Industrial Relations Code, 2020 is at Schedule- I.
7. The particulars given in Schedule- II show the provision made in the rules for the matters detailed in section 7 of the Industrial Relations Code, 2020.
8. (To be struck out in the case of unions which have not been in existence for one year before the date of application). The particulars required by of sub-section (2)

of section 8 of the Industrial Relations Code, 2020 are given in Schedule III.

9. List of all members of the executive of the Union showing in Column II the names of any posts held by them (e.g., President, Secretary, Treasurer etc.,) in addition to their offices as members of the executive are given below

Sr. No.	Title	Name	Age	Address	Occupation

10. We have been duly authorized to make this application by *

Name	Occupation	Address	Signature

** State here whether the authority was given by a resolution of a general meeting of the Union, if not, in what other way it was given.*

Schedule- I
Declaration by way of Affidavit

I, _____ s/o Sh._____ Age _____ yrs. r/o_____ do hereby solemnly affirm and declare as under:-

1. That I am the elected General Secretary of "……..(Name of Union)"……..(Address of Union.)

2. That to the best of my knowledge and belief no Union / Association by the name of "_____ (Name of Union)" is registered under the Industrial Relations Code, 2020 in Rajasthan or anywhere in India.

3. That in case of any legitimate claimant of union's name, we will surrender the certificate and change name of the union as per directions of the Registrar Trade Unions, Rajasthan.

4. That no member or office bearer has ever been convicted by Court of India for any offence involving moral turpitude and sentenced to imprisonment.

5. That all particulars supplied as per Form-III as well as other documents are true.

6. That the scope of the Union shall be for the employees of ---------- (Name of Establishment).

7. That neither the applicants nor the office bearer and I are the member of any other union functioning in _____ (Name of Establishment)

8. That there are approximate _____ workers working in _____ (Name of Establishment) and out of which_____ workers are members of our union.

9. That this is my true statement.

Deponent

Verification

Verified at _____ on_____ that the contents of the paras 1 to 9 of my above declaration by affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Deponent

Schedule- II
Reference to rules

The numbers of the rules making provision for the several matters detailed in Column 1 are given in Column 2 below:

Matter	Number of rules
Name of Trade Union	
The whole of the objects for which the Trade Union has been established.	
The whole of the purposes for which the general fund of the Trade Union shall be applicable.	
The maintenance of a list of members of the Trade Union.	
The facilities provided for the inspection of the list of members by officer-bearers and members of the Trade Union	
The admission of ordinary members.	
The admission of honorary or temporary members.	
The payment of a subscription by members of the Trade Union from such members and others	
The conditions under which members are entitled to benefit assured by the rules.	
The conditions under which fines or forfeiture may be imposed or varied on any member	
The manner in which the rule shall be amended, varied or rescinded.	
The holding of annual general body meeting of the members of the Trade Union	
The business to be transacted at the annual general body meeting	
The manner in which the members of the executive and the other office-bearers of the Trade Union shall be appointed and removed.	
The safe custody of the funds of the Trade Union The annual audit of the accounts of the Trade Union	
The facilities for the inspection of the account books by the office-bearers and members of theTrade Union	
The manner in which the Trade Union may be dissolved.	

Schedule- III
Statement of liabilities and assets on the .....day of .....20....

(This need not be filled in if the Union came into existence less than one year before the date of application for registration)

Liabilities (Rs.)	Assets (Rs.)
Amount of general fund Amount of political fund Loans from- ---------- ---------- Debts due to …… …….. Other liabilities …….. (to be specified) Total Liabilities	In hand of Treasurer In hand of Secretary Securities as per list below Unpaid subscriptions due Loans to…… Immovable property Goods and furniture Other assets (to be specified) …….. ……. …….. Total assets

List of Securities

Particulars	Nominal Value	Market Value	In hands of

Form-III
(see rule 9)
Register of Trade Unions

Serial No.	
Name of Union.	
Address of Head Office.	
Date of Registration.	
E-Mail	

Name of Union	Year of entering office	Name	Age on entry	Address	Occupation	Year of relinquishing office	Other offices held in addition to membership of Executive with date

Number of application form
List of members applying for registration

1
2
3
4
5
6
7

Form-IV
(see rule 10)

Certificate of Registration of Trade Union

It is hereby certified that……has been registered under the Industrial Relations Code, 2020 this day …….20……

SEAL

Registrar of Trade Unions
Rajasthan

Form-V
(see rule 19)

Notice of the Dissolution or amendment in rules of a Trade Union

Name of trade union.....
Registration number.....
Dated the.....day of..... 19.....

To,
The Registrar of Trade Unions,
Rajasthan……
Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the Rules thereof on the ..... day of ..... 19.....
or
Notice is hereby given that the following rules of the trade union given under Schedule- I are proposed to be amended in pursuance of the Rules thereof on the ..... day of ..... 19.....
We have been duly authorised by the union to forward this notice on its behalf, such authorisation consisting of a resolution passed at a general meeting on the* ..... day of..... 20....., copy of which is enclosed.

(Signed)

1.....
2.....
3.....
4.....
5.....
6.....
7.....
8.....

*Here insert the date, or, if there was no such resolution, state in which other way the authorisation was given.

Schedule- I
Amendment in rules

The amendment in the Rules for the matters detailed in column (1) and (2) are given in column (3) as follows :-

S.No.	Matter	Original Rules	Amendment proposed
1	Name of Union.		
2	The whole of the object for which the union has been established.		
3	The whole of the purposes for which the general funds of the union shall be applicable.		
4	The maintenance of a list of members.		
5	The facilities provided for the inspection of the list of members by officers and members.		
6	The admission of ordinary members.		
7	The admission of honorary or temporary members.		
8	The conditions under which members are entitled to benefits assured by the Rules.		
9	The conditions under which fines or forfeitures can be imposed or varied		
10	The manner in which the Rules shall be amended, varied or rescinded		
11	The manner in which the members of the executive and the other officers of the union shall be appointed and removed.		
12	The safe custody of the funds		

Signature of the Applicant/s

Form-VI
(see rule 21 and 24)

Annual returns prescribed under Section 26(1) of the Industrial Relations Code, 2020To be forwarded by a registered Trade Union for the year ending the 31st December……..

PART A

1. Name of the Union
2. Address of the Union
3. Registered Head Office
4. Number and date of certificate of registration
5. Classification of industry (to be shown as per schedule of industries attached)

6. Classification of Sector [Please state to which of the following four categories, the Trade Union belongs : (a) Public Sector—Central Sphere , (b) Public Sector—State Sphere, (c) Private Sector – Central Sphere and (d) Private Sector—State Sphere.]
7. Name of the All India Body / Federation to which affiliated
8. Affiliation number
9. Affiliation fee paid during the year
10. Number and date of receipt for payment of affiliation fee.
11. Membership fee per month
12. Number of members on books at the beginning of the years.
13. Number of members admitted during the year
14. Number of members who left during the year
15. Number of members on books at the end of the year (i.e. on the 31st December….). Male Female Total
16. Number of members contributing to political fund.
17. Number of members who paid their subscription for the whole year
18. A copy of the rules of the Trade Union corrected up to the date of despatch of his return is appended.
19. Part B of the return below has been duly completed.

Date **Secretary**

*If the Union falls under more than one category, the membership claimed in each category may be shown separately.

PART B

Statement of Liabilities and Assets on the 31st day of March…….

Liabilities	**Rs.**	**P.**	**Assets**	**Rs.**	**P.**
Amount of General Fund			Cash In hands of Treasurar In hands of Secretary In hands of …….. In the ……. Bank In the ……. Bank		
Amount of Political Fund			Security as per list below		
Loans from-			Unpaid subscription due for (a) the year (b) previous year (c)		
Debts due to-			Loans to (a) Officers (b) Members (c) Others		
Other liabilities (to be specified.)			Immovable propert Goods and furniture Other Assets (to be specified)		
Total- Liabilities			**Total- Assets**		

General Fund Account

Income	**Rs.**	**Expenditure**	**Rs.**
Balance at beginning of year		Travelling allowance, salaries allowances and expenses of establishment.	

		Auditor's fees Legal expenses	
Subscription from members (including unpaid subscriptions due for the year)		Expenses in conducting trade disputes.	
(a)Subscription received		Compensation paid to members for loss arising out of trade disputes.	
(b) Subscription in arrears for three months or less.		Funeral, old age, sickness, un-employments benefits, etc. Educational, social and religious benefits	
(c) Subscription in arrears for more than three months		Cost of publishing periodicals	
Donations Sale of periodicals, books, rule, etc.		Rents, rates and taxes	
Interest on investments		Stationery, printing and postage {Expenses incurred under Section 15 (1) of the Industrial Relations Code, 2020 read with Rule 12 of the Rajasthan Industrial Relations Rules (to be clearly specified)}.	
Income from miscellaneous sources (to be specified)		Other expenses (to be specified)	
Balance at the end of year			
Total		**Total**	

Political Fund Account

Income	**Rs**	**Expenditure**	**Rs.**
Balance at the beginning of the year		Payments made on objects specified in Section 15(2) of the Industrial Relations Code, 2020 read with Rule 13 of the Rajasthan Industrial Relations Rules (to be specified)	
Contributions from members @ … per member		Expenses of management (to be fully specified) @ … per member	
Balance at the end of year			
Total		**Total**	

Auditor Declaration

The undersigned, having access to all the books and accounts of the ---------- Union, and having examined the foregoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct, duly vouchered and in accordance with the law, subject to remarks if any appended hereto and also certify that the ---------- Union had properly maintained its membership register and its accounts and the members had paid their membership subscriptions to the ---------- Union as shown in the foregoing statements of the General Fund Account of the Union, subject to the remarks, if any, appended here to……

Auditor

The following changes of officers have been made during the year ------

Officers Relinquishing Office

Name	Office	Date of relinquishing office

Officers appointed

Name	Date of birth	Private address	Personal Occupation	Title of position held in Union	Date on which appointment in column 5 was taken up	Other officers held in addition to membership of executive with date
1	2	3	4	5	6	7

Election

Date of last election of Office bearers Date of next election office bearers

Secretary

Form-VII

(see sub-rule (1) of rule 26)

Application for recognition as the State Level Trade Union

Name of the Trade union/ Federation Of Trade Unions.....
Address.....
Dated the .....day of..... 20....

To.
The Secretary or Authorised Officer (Designation)
Government of Rajasthan, Department of Labour

Dear Sir,

I beg to state that at the general meeting of the members/at the meeting of the executive of the above-mentioned Trade union/ Federation Of Trade Unions which was held at.....on the day of..... 20...., it was resolved that the union should apply to you for recognition as State Level Trade Union under sub section (2) of Section 27 of the Industrial Relations Code, 2020. A copy of the resolution in this behalf signed by the President/General Secretary of the union is enclosed.

2. The Trade Union/ Federation of Trade Unions is duly registered on the..... day of.....year ..., under Certificate No.....issued by the Registrar of Trade Unions for Rajasthan.
3. A copy of the rules of the Trade Union/ Federation of Trade Unions is attached.

4. The address of the head office of the Trade Union/ Federation of Trade Unions to which all the communications may be addressed is.....

5. The TradeUnion/ Federation of Trade Unions has affiliation of other Trade Unions in the state, list of such trade unions and their addresses, registration details and membership etc. is attached herewith.

6. The Trade Union/ Federation of Trade Unions is working in the industrial establishment/ industries /Occupation ……(shall be specified) for ..... years in …….. district/state of Rajasthan.

7. The Trade Union/ Federation of Trade Unions has total.....members (number) in the state (District Wise, Trade Union wise membership)

Note :-
1. A brief report and document regarding activities and work done by the Trade Union/Fedreation of Trade Unions since its registration shall be enclosed.
2. List of members of union with Aadhar number shall be submitted if required by the authority.

Name and Designation
General Secretary/Secretary

Form-VIII
(see rule 36)

Notice of change of service conditions proposed by an employer

Name of employer.....
Address.....
Dated the ..... day of .....20.....
In accordance with section 40(1) of Industrial Relations code I/We hereby give notice to all concerned that it ismy/ourintentiontoeffectthechange/changesspecifiedintheannexure,witheffectfrom …… inthe conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....
Designation.....

ANNEXURE
(Here specify the change/changes intended to be effected)

Copy forwardedto:
1. The Secretary of registered Trade Union, ifany.
2. Concerned Joint/Dy./Asstt. Labourcommissioner……..
3. Concerned Workman / Trade Union …….

Form-IX

(see rule 37)

Agreement for voluntary arbitration

BETWEEN

……Name of the parties representing employer (s)

And

…….Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of .....[here specify the name(s) and address(es) of the arbitrator (s).

(i) Specific matters indispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertakinginvolved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers inquestion.

(iv) Total number of workers employed in the undertakingaffected.

(v) Estimated number of workers affected or likely to be affected by thedispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding onus.

The arbitrator (s) shall make his (their) award within a period of ..... (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresharbitrator.

Signature of the parties Representing employer] Representing worker/ workers. Witnesses

1.....

2.....

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned]. .

(ii)The Secretary to the Government of Rajasthan, Labour Department.

Form-X

(see rule 39, 59 and 60)

Authorization by a worker, group of worker, employer, group of employer to be represented in a proceeding before the authority under thisCode.

Before the Authority

(Here mention the authority concerned)

In thematterof:. (mention the name of the proceeding)

.....workers Versus …… Employer

I/we hereby authorise Shri / Sarvashri (if representatives are more thanone)1.....2.....3…….to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s) Address Accepted

Form-XI
(see rule 40and 41)

Form of Oath of Office for Judicial Member or Administrative Member (whichever is applicable) of National Industrial Tribunal

I,……..., having been appointed as Judicial Member/Administrative Member (whichever is applicable) of State Industrial Tribunal (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of State Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)
Place:
Date:

Form-XII
(see rule 42)

Application to be submitted before the Tribunal in the matter not settled by the Conciliation Officer

Before…… (here mention the name of the Tribunal having jurisdiction over the area) In the matter of:

..... Applicant
Address.....
Versus
..... Opposite party (ies)
Address.....
The above mentioned applicant begs to state as follows :-
(Here set out the relevant facts and circumstances of thecase).
The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date ….....
Place .....
(Signature)

Form-XIII
(see rule 43)
Registration of settlement

Registration No.	Name and address of the parties to settlement	Terms of settlement	Date of settlement	Date of registration	Signature of the registering authority	Remarks, if any
1	2	3	4	5	6	7

Form-XIV
(see rule 43)

Certificate of registration

It is hereby certified that the memorandum of settlement, dated..... arrived at
between.....as per copy enclosed has been registered under the Industrial Relations Code, 2020, this..... day of.....20.....

Conciliation Officer, Rajasthan and the
Certifying Authority

Form-XV
(see rule 44)

Notice of Strike to be given by Union (Name of Union)/ Group of Workers)

Name of five elected representatives
of workers……..
Dated the.....day of.....20.....
To
(The name of the employer). Dear Sir/Sirs,
Inaccordancewiththeprovisionscontainedinsub-section(1)ofsection62oftheIndustrialRelationscode
I/We hereby give you notice that I propose to call a strike / we propose to go on strikeon……..for the reasons explained in the annexure.
Yours faithfully, (Secretary of the Union)
Five representatives of the workers duly elected at a meeting held on ..... (date), vide resolution attached.
Annexure

1	Statement of reasons

Copy to; 1. Labour officer concerned,Labour Department
2. Labour Commissioner, Rajasthan

Form-XVI
(see rule 45)

Notice of Lock-out to be given by an employer of an industrial establishment

Name of employer .....
Address.....
Dated the.....day of.....20.....
In accordance with the provisions of 62(6) of this code, I/we hereby give notice to all concerned that it is my/our intention to effect lock outin…….. department(s), section(s) of my/our establishment with effectfrom …….. for the reasons explained in theannexure.
Signature.....
Designation.....
ANNEXURE

1	Statement of reasons

Copy forwarded to:

1. The Secretary of the Registered Union, ifany
2. Conciliationofficer [Here enter office address of the Labour Welfare Officer, Assistant Labour Commissioner/ Deputy Labour Commissioner / Joint Labour Commissioner
3. Labour Commissioner, Rajasthan

Form-XVII
(see rule 46 and 48)

Notice of Intimation of Retrenchment/ Closure to be given by an employer to the State Government under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made there under

(To be submitted online. In case of exigencies, on paper in the prescribed format below)
Name of Industrial Establishment /Undertaking/ Employer.....
Labour Identification Number .....

Dated.....
(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of Closure/Retrenchment respectively)

To,
The Secretary to the Government ofRajasthan, Labour Department
Jaipur

1. *(Retrenchment) (a) Under Section 70(C) of this Code, I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of ……. Workers** with effect from…….. (DD/MM/YYYY)

Or

(Closure) (b) Under Section 74(1) of this Code, I / we hereby intimate you that I*/we* have decided to closedown,.....(name of the industrial establishment or undertaking) witheffect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of theundertakingis.....(number of workers)

2. ThereasonforRetrenchment/Closureis…….
……
……..…….

3. *Theworker(s)*concernedweregivenonthe.....(DD/MM/YYYY)onemonth'snoticein writing as required under section 70(a)*/ section 75(1)* of this Code.

or

* The worker(s) concerned have been given onthe..... (DD/MM/YYYY) one month's pay in lieuof the notice as required under section 70(a)*/ section 75(1)* of this Code.

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of this Code before or on the expiry of the noticeperiod.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concernedlaws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the Section 71 and section 72 of thisCode.

6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have beenAnnexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures is true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in thematter.

Yoursfaithfully,

(Name of Employer/ ***AuthorizedRepresentative
withSeal)
(* Strike off which is not applicable.)
(** Indicate number in figures and words both)
(***Copy of Authorization letter issued by the employer shall be enclosed)
Copy to :

(1) Labour Commissioner, Rajasthan, Jaipur
(2) Labour Welfare Officer, Asst. / Dy / Joint Labour Commissioner of the concernedarea…….
(3) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

Form-XVIII

(see rule 49, 51 and 53)

Application for permission of Lay-off/ Continuation of Lay-off/ Retrenchment/ Closure to be given by an employer / Industrial establishment /Undertaking to the State Government under the provisions of Chapter X of the Industrial Relations Code, 2020 and rules made there under

(Tobesubmittedonline.Incaseofexigenciesonpaperintheprescribedformatbelow)
Name of Industrial Establishment or Undertaking orEmployer.....
Labour IdentificationNumber.....

Dated.....
(Note: The application to the State Government shall be served as indicated below: Lay-off : at least 15 days before the intended Lay-off
Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off Retrenchment – at least 60 days before the intended date of Retrenchment Closure – at least 90 days before the intended date of Closure)

To,
The Secretary to the Government of Rajasthan, Labour Department,
Jaipur

1. *(Lay-off) (a). under section 78(2) of the Industrial Relations Code, 2020, I*/we*hereby apply for
-permissiontolay-off…….workers**outoftotalof……..workers**employedinmy*/our* establishment (details to be given in Annex-I) witheffectfrom ……..(DD/MM/YYYY).

or

(Continuationoflay-off)(b)Undersection78(3)oftheIndustrialRelationsCode,2020,I/we*herebyapply for permission to continue the Lay-off .....workers** out oftotalof ..... laid off workers** inmy*/our* establishment (details to be given in Annex-I) witheffectfrom …….(DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020, I/we* hereby apply for permission for intended retrenchment of..... workers out of total of …….. workers** employed in my*/our* establishment (details to be given in Annex-I) witheffectfrom…….(DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-1) with effect from.....
(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of theundertakingis (number ofworkers)

2. ..... * (Lay-off/Continuation of Lay-off) The worker(s) concerned weregivenon……..(DD/MM/YYYY) notice in writing as required under section 78(2)*/ section 78(3)* of this Code.

or

(Retrenchment/ Closure) The worker(s) concerned were given on…….. (DD/MM/YYYY) one month's notice in writing as required under section 79/ section 80* of this Code.

or

(Retrenchment/ Closure) The worker(s) have beengivenon (DD/MM/YYYY) one month's pay inlieu of notice as required under section 79/ section 80* of this Code.

3. The details of affected worker(s) is at Annexure-II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of thisCode.

5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of this Code before or on the expiry of the noticeperiod.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concernedlaws.

6. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have beenAnnexed.

7. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been

suppressed in thematter.
The permission sought for may please be granted.
(* Strike off which is not applicable.)
(** Indicate number in figures and wordboth)
(***Copy of Authorization letter issued by the employer shall be enclosed)

Yours faithfully,
(Name of Employer / ***Authorised Representative with Seal)

Annexure- I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i) Whether State public sector/State public sector/etc, (ii) Whether a private limited company/ partnership firm/ partnershipfirm (ii) Whether the undertaking is Licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers.	
3	(a) MCA Number	
	(b) GSTN Number	
4	(i) Annual production, item wise for preceding threeyears- (ii) Production figures, month-wise, for the preceding twelvemonths,	
5	Audit report of establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

Annexure- II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled/ Skilled/ Semi-skilled / Unskilled)	Date from which in service in/with the said establishment/Under taking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

Form-XIX
(see rule 56)

Notice to the Employer who committed an offence for the first time under this code, for compounding of offence under sub-section (4) of section 89

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relations Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below;-

PART-I

1 Name and Address of theoffenderEmployer-……..
2 Address of the Establishment……..…….
3 Particulars of the offence..……
4 Section of the Code under which the offence iscommitted ……
5 Compounding amount required to be paid towards composition ofthe offence ……...……

PART-II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relations Code, 2020, alongwith an application dully filled in part – III of this notice.
In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under section shall be issued.

(Signature of the Compounding Officer)

Date : Place:

PART-III

Application under sub-section (4) of section 89 for compounding of offence

1. Name of applicant (name of the employer who committed the offence under the Industrial Relations Code 2020 to be mentioned……
2. Address of the applicant ...…….…….
3. Particulars of the offence…….……....
4. Section of the Code under which the offence has beencommitted …….
5. Details of the compounding amount deposited (electronically generated receipt tobe attached)……..
6. Details of the prosecution, if filed for the violation of above mentioned offences may begiven …...……..
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of theoffence ……

……

8. Any other information which the applicant desires toprovide
……
……

Dated: Applicant
Place: (Name and signature)

Form-XX

(see rule 58)

Complaint under Section 91 of the Industrial Relations Code, 2020) Before the Conciliation officer/ Arbitrator/ Tribunal or,NationalTribunal ---------- ,

In the matter of :..... Reference No…….
A..... Complainant(s);
Versus
B..... Opposite Party(ies).

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations code, as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of .the complaint and its annexure required under rule 91 of the Industrial Relations Code are submitted herewith.

Dated this.....day of.....20……..

Signature of the Complainant(s)

Verification

I do solemnly declare that what is statedinparagraph ..... …above is true tomy knowledge and that what is statedinparagraphs..... ..above is stated upon information receivedand believedbymetobetrue.Thisverificationissignedbymeat.....on ……day…….of.....20.....

Signature or Thumb impression of the person verifying.

[S.No. F.14(1)(5)Industrial Relations/ Code/Shram/Vidhi/2021]
By the order of Governor,
Om Prakash Saharan,
Additional Labour Commissioner and
Joint Secretary to the Government.

Government Central Press, Jaipur.